

# Report to Ethical Standards and Member Development Committee

**7 November 2023**

<b>Subject:</b>	Complaints and Allegations Update
<b>Director:</b>	Director of Law and Governance and Monitoring Officer – Surjit Tour
<b>Contact Officer:</b>	Surjit Tour Surjit_Tour@sandwell.gov.uk

## 1 Recommendations







- 1.1 That the update position on complaints received under the Councillor code of conduct be received.

## 2 Reasons for Recommendations

- 2.1 The report provides an update on the activity of the Council’s Monitoring Officer in relation to complaints received under the Councillor Code of Conduct arrangements.



### 3 How does this deliver objectives of the Corporate Plan?

		The Council's ethical governance framework and arrangements support the Council toward achieving its strategic objectives and ambition.
		
		

### 4 Context and Key Issues

- 4.1 The Committee has oversight of the Council's ethical governance framework and arrangements for dealing with complaints received under the Code of Conduct in relation to elected Members.
- 4.2 The table at Appendix A provides an update position on complaints received under the code of conduct.

### 5 Alternative Options

- 5.1 None – the report is provided for information.

### 6 Implications

<b>Resources:</b>	The Council is required to ensure that sufficient resources are provided to the Monitoring Officer in order that they are able to exercise their statutory functions.
<b>Legal and Governance:</b>	The Local Government Act 2000 and Localism Act 2011 make provision for the arrangements for dealing with standards related matters.
<b>Risk:</b>	The Council must have in place, arrangements for dealing with matters relating to the conduct of elected members. These are regularly reviewed in line with the best practice recommendations of the Committee for Standards in Public Life



<b>Equality:</b>	There are no direct equality implications arising from this report.
<b>Health and Wellbeing:</b>	There are no direct health and wellbeing implications arising from this report.
<b>Social Value</b>	There are no direct social value implications arising from this report.
<b>Climate Change</b>	There are no direct climate change implications arising from this report.

## 7. Appendices

Complaints Update

## 8. Background Papers

None.



## Appendix A

Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
1. MC190223-a	Member of the Public	It is alleged that the subject member has breached the code of conduct by failing to declare an interest.  Potential breaches of the members code of conduct 9.1	Received on 19 <sup>th</sup> February 2023. Breach of Code found and dealt with via local resolution.	Green	Breach found. Training provided to member	Training provided to member.
2. MC190223-b	Member of the Public	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1, 5.1	Received on 19 <sup>th</sup> February 2023. No further action taken.	Green	No breach of Code of Conduct.	
3. MC030623	Member of the Public	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1, 5.1	Received on 3 <sup>rd</sup> June 2023.	Green	Subject Member not acting in capacity of Cllr – Code therefore not applicable	



Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
4. MC050623	Anonymous	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1, 5.1	Preliminary assessment undertaken by the Monitoring Officer on 12 <sup>th</sup> June 2023. Not a valid complaint and therefore not progressed to Stage 1. Matter closed.	Green	Not valid complaint. NFA	
5. MC120723	Member of the Public	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1, 5.1	Received on 12 <sup>th</sup> July 2023. Initial Assessment conducted. No breach of Member's Code of Conduct. Matter closed 14 <sup>th</sup> August 2023	Green	No breach of Code of Conduct.	Advice and guidance provided on use of social media
6. MC200723	Member of the Public	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1, 5.1	Received on 20 <sup>th</sup> July 2023. Initial Assessment completed.	Green	Subject member not acting in capacity of Cllr – Code therefore not applicable	
7. MC220823	Member of the Public	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1,1.2	Received 22 <sup>nd</sup> August 2023. Matter closed as complaint was withdrawn on 28 <sup>th</sup> August 2023	Green	Complaint was withdrawn on 28 <sup>th</sup> August 2023	N/A



Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
8. MC210823	Member of the Public	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1,1.2, 2.3, 4.1.	Received on 21 <sup>st</sup> August 2023. Initial Assessment completed. Local Resolution agreed.	Green	Local Resolution agreed on 27 October 2023.  Resolution to be implemented.	N/a

